

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GEO. M. MARTIN COMPANY, a California
corporation, and THE MARTIN FAMILY
TRUST – 1989,

No. C 07-00692 WHA

Plaintiffs,

v.

FINAL PRETRIAL ORDER

ALLIANCE MACHINE SYSTEMS
INTERNATIONAL, LLC, a Wyoming
corporation,

Defendant.

FOR GOOD CAUSE and after a final pretrial conference, the Court issues the
following final pretrial order:

1. This case shall go to a **JURY TRIAL** on **MAY 27, 2008**, at **7:30 A.M.** subject to the
trailing caveat stated at the conference, and shall continue until completed on the schedule
discussed at the conference. The issues to be tried shall be those set forth in the joint proposed
pretrial order except to the extent modified by order *in limine*. This final pretrial order
supersedes all the complaint, answer and any counterclaims, cross-claims or third-party
complaints, *i.e.*, only the issues expressly identified for trial remain in the case.
2. Rulings on the motions *in limine* shall be summarized in a separate order.
3. Except for good cause, each party is limited to the witnesses and exhibits
disclosed in the joint proposed final pretrial order less any excluded or limited by an order

1 *in limine*. Materials or witnesses used solely for impeachment need not be disclosed and may
2 be used, subject to the rules of evidence.

3 4. The stipulations of facts set forth in the joint proposed final pretrial order are
4 approved and binding on all parties.

5 5. A jury of **EIGHT PERSONS** shall be used.

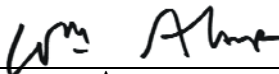
6 6. Each side shall have **SIXTEEN HOURS** to examine witnesses (counting direct
7 examination, cross-examination, re-direct examination, re-cross examination, etc.).

8 Opening statements and closing arguments shall not count against the limit. Each side may
9 have 45 minutes for opening statements.

10 7. The parties shall follow the Court's current *Guidelines for Trial and*
11 *Final Pretrial Conference*, separately provided and available on the Internet at
12 <http://www.cand.uscourts.gov>, which guidelines are incorporated as part of this order.

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14 **IT IS SO ORDERED.**

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16 Dated: May 5, 2008.

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18 _____
19 WILLIAM ALSUP
20 UNITED STATES DISTRICT JUDGE
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